

201 KAR 33:030. Continuing education requirements for licensees and certificate holders.

RELATES TO: KRS 310.050(3)

STATUTORY AUTHORITY: KRS 310.041(1), (9)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 310.041(1) requires the board to promulgate administrative regulations establishing continuing education requirements. This administrative regulation establishes continuing education requirements for dietitians and nutritionists.

Section 1. (1)(a) The annual continuing education compliance period shall extend from November 1 of each year to October 31 of the next year.

(b) Prior to renewal of a license or certificate for the next licensure or certification period, a licensee or certificate holder shall have earned fifteen (15) hours of approved continuing education during the compliance period.

(c) A person who is either licensed as a dietitian or certified as a nutritionist, or who is both a licensed dietitian and certified nutritionist, shall have earned a total of fifteen (15) hours of approved continuing education during the compliance period, prior to renewal of a license or certificate for the next licensure period.

(2) An initial licensee or certificate holder shall be exempt from the continuing education requirements for the first license or certification renewal.

(3) No more than fifteen (15) hours of continuing education may be carried over into the next continuing education period.

(4) It shall be the responsibility of each licensee or certificate holder to finance the costs of continuing education.

(5) For purposes of the audit set forth in subsection (8) of this section, every licensee or certificate holder shall maintain a record of all continuing education courses attended for two (2) years after the continuing education period. Appropriate documentation to be kept shall include:

(a) Certificates of attendance for the prior-approved continuing education;

(b) Transcripts for academic coursework;

(c) Reprints of journal articles published; or

(d) Proof of attendance, description of activity, and professional qualifications of the presenter for continuing education activities.

(6) Each licensee or certificate holder shall sign a statement on the Renewal Application form, as incorporated by reference in 201 KAR 33:020, indicating compliance with the continuing education requirements. A license or certificate shall not be renewed without this sworn statement.

(7) A certified nutritionist shall submit a completed Continuing Education Submission Form for Certified Nutritionists Only.

(8)(a) The board shall audit at least fifteen (15) percent of licensees' or certificate holders' continuing education records each year.

(b) Licensees or certificate holders who are audited shall be chosen in a random manner or at the discretion of the board. The board's determination shall be based on:

1. Disciplinary action against the licensee or certificate holder; or

2. Question of the validity of the continuing education credit.

(c) Falsifying reports, records, or other documentation relating to continuing education requirements shall result in formal disciplinary action.

(9)(a) A document that reflects a continuing valid registration with the Commission on Die-

tetic Registration shall constitute proof of compliance with the continuing education requirement by a person licensed as a dietitian or certified as a nutritionist.

(b) A membership card shall not constitute compliance with paragraph (a) of this subsection.

Section 2. Approved Continuing Education Activities. (1) Hours of continuing education credit may be obtained by attending and participating in a continuing education activity, interactive workshop, seminar, or lecture that has been approved by the board.

(2) Criteria for subject matter.

(a) Subject matter for continuing education hours shall reflect the educational needs of the licensed dietitian or certified nutritionist and the nutritional health needs of the consumer.

(b) Subject matter shall be limited to offerings that are scientifically founded and offered at a level beyond entry-level dietetics for professional growth.

(c) The following areas shall be appropriate subject matter for continuing education credit if they are directly related to the practice of dietetics or nutrition:

1. Sciences on which dietetic practice, dietetic education, or dietetic research is based including nutrition, biochemistry, physiology, food management, and behavioral and social sciences to achieve and maintain people's nutritional health;

2. Nutrition therapy related to assessment, counseling, teaching, or care of clients in any setting; or

3. Management or quality assurance of food and nutritional care delivery systems.

(3) Standards for approval of continuing education programs and activities. A continuing education activity shall be approved if it:

(a) Constitutes an organized program of learning, including a workshop or symposium, which contributes directly to the professional competency of the licensee or certificate holder;

(b) Pertains to subject matters that relate integrally to the practice of dietetics or nutrition; and

(c) Is conducted by individuals who have education, training, and experience in the subject matter of the program.

(4) Academic coursework.

(a) Coursework shall be eligible for credit if it:

1. Has been completed at a U.S. regionally accredited college or university; and

2. Is beyond entry-level dietetics.

(b) One (1) academic semester credit shall equal fifteen (15) continuing education hours.

(c) One (1) academic quarter credit shall equal ten (10) continuing education hours.

(d) An audited class shall equal eight (8) continuing education hours for a semester or five (5) continuing education hours for a quarter.

(5) Scholarly publications.

(a) A publication shall be approved if it:

1. Is published in a recognized professional journal or other publication; and

2. Relates to nutrition and dietetic practice, nutrition and dietetic education, or nutrition and dietetic research.

(b) Continuing education credit hours for authorship of a scholarly publication shall be reported using the requirements established in this paragraph.

1. Authorship.

a. A single author shall be reported if the author is the sole author listed.

b. A senior author shall be reported if the author is the first of two (2) or more authors listed.

c. A co-author shall be reported if the author is the second of two (2) authors listed.

d. A contributing author shall be reported for all but the senior of three (3) or more authors.

2. For the publication of a research paper, a licensee or a certificate holder shall receive

continuing education credit of:

- a. Ten (10) hours if he or she is the single author;
- b. Eight (8) hours if he or she is the senior author;
- c. Five (5) hours if he or she is a co-author; or
- d. Three (3) hours if he or she is a contributing author.

3. For the publication of a technical article, a licensee or a certificate holder shall receive continuing education of:

- a. Five (5) hours if he or she is the single author;
- b. Four (4) hours if he or she is the senior author;
- c. Three (3) hours if he or she is a co-author; or
- d. Two (2) hours if he or she is a contributing author.

4. For the publication of an information-sharing article, a licensee or a certificate holder shall receive one (1) hour of continuing education credit.

5. For the publication of an abstract, a licensee or a certificate holder shall receive continuing education of:

- a. Two (2) hours if he or she is the single author or the senior author; or
- b. One (1) hour if he or she is a co-author.

(6) Poster sessions.

(a) Continuing education credit shall be approved for attending juried poster sessions that meet the criteria for appropriate subject matter established in subsection (3) of this section upon submission of the documentation required in paragraph (c) of this subsection.

(b) One (1) hour of continuing education credit shall be allowed for each hour of posters reviewed not to exceed three (3) hours in a continuing education year.

(c) The following documentation shall be submitted for approval of continuing education credit for attending juried poster sessions:

1. Certificate of attendance or completion indicating:
 - a. The date of the session;
 - b. The number of hours requested;
 - c. The objectives of the session; and
 - d. The session provider;
2. An agenda or outline of the session;
3. A program, flyer, or brochure describing the poster session; or
4. Handouts from the poster session.

(7) Continuing education hours for presenters.

(a) Credit shall not be given for presentations to the lay public.

(b) Credit shall be allowed only once for the same presentation.

(c) The presenter shall receive twice the number of hours approved for the activity.

(d) Two (2) hours per topic shall be allowed for presenters of juried poster sessions that meet the criteria for appropriate subject matter established in subsection (3) of this section.

(e) A copy of the presentation or poster, abstract or manuscript, and documentation of the peer review process shall be included in the licensee's or certificate holder's documentation list.

(8) Exhibits.

(a) Continuing education credits may be obtained for attending exhibits that meet the criteria for appropriate subject matter established in subsection (3) of this section upon submission of the documentation required in paragraph (c) of this subsection.

(b) One (1) hour of continuing education credit shall be allowed for each hour of exhibits reviewed not to exceed three (3) hours in a continuing education year.

(c) Documentation of attendance or completion of review of exhibits shall be submitted

showing:

1. Date;
2. Provider;
3. Timeline; and
4. Content of the exhibits.

(9) Residency and fellowship programs.

(a) Fifteen (15) hours of continuing education credit shall be granted for completion of a residency or fellowship program, if the program is:

1. At the postbaccalaureate level;
2. Dietetics-related;
3. Formalized or structured experiences; and

4. Sponsored by a U.S. regionally accredited college or university of an institution accredited or approved by the Joint Commission on Accreditation of Healthcare Organizations (JCAHO) or the National Committee for Quality Assurance (NCQA).

(b) Documentation of compliance with paragraph (a) of this subsection shall be submitted and shall include:

1. Certificate of completion; and
2. Name, address, phone number, e-mail address, and fax number of the provider.

(10) Certification program.

(a) Fifteen (15) hours of continuing education credit shall be granted for completion of a certification approved by the board that:

1. Is dietetics-related;
2. Requires that candidates meet eligibility requirements; and
3. Requires that a candidate or certificate holder pass an examination to become certified initially, and to be recertified.

(b) Up to fifteen (15) hours of continuing education credit, for the exam only, may be carried over to the following year.

(c) Documentation. A document verifying the date of issue; duration of certification; and name, address, phone number, e-mail address, and fax number of the provider shall be submitted.

(11) Self study courses.

(a) Fifteen (15) hours of continuing education credit shall be granted for completion of a Commission on Dietetic Registration preapproved self-study program that meets the following criteria:

1. The program shall address a single specific subject in depth;
2. Test items shall accompany the program and be based on its content; and
3. The program may be audio-based; computer based; printed; video-, DVD-, or CD-based;

or Web-based.

(b) The following documentation shall be submitted:

1. A certificate of attendance or completion;
2. An agenda or outline of the program; and
3. Description of the objectives, date, timeline, and provider of the program.

Section 3. Procedures for Prior Approval of Continuing Education Activities. (1) A person seeking prior approval of a course, program, or other continuing education activity shall apply to the board for approval at least sixty (60) days in advance of the commencement of the activity.

(2) The application shall state the:

(a) Dates;

- (b) Subjects offered;
- (c) Objectives for the activity;
- (d) Total hours of instruction; and
- (e) Names and qualifications of speakers.

(3) The board shall approve or deny timely and complete applications before the commencement of the activity.

(4) Review of programs.

(a) The board may monitor and review any continuing education program already approved by the board.

(b) Upon evidence of significant variation in the program presented from the program approved, the board may disapprove all or any part of the approved hours granted the program.

(5) Programs pertaining to the following subject areas shall require preapproval by the board:

(a) Experiential skill development, which shall be limited to fifteen (15) hours;

(b) Independent learning programs that are sponsored and related to nutrition and dietetic practice, nutrition and dietetic education, or nutrition and dietetic research, which shall be limited to ten (10) hours;

(c) Study groups involving nutrition and dietetic practice, nutrition and dietetic education, or nutrition and dietetic research, which shall be limited to ten (10) hours; and

(d) Professional reading of journal articles related to nutrition and dietetic practice, nutrition and dietetic education, or nutrition and dietetic research, which shall be limited to three (3) hours.

Section 4. Subsequent Approval of Continuing Education Activities. (1)(a) Individual or group educational activities for which program providers or sponsors have not requested continuing education hour approval prior to the date of the activity may be approved by the board for continuing education credit.

(b) An activity that has received prior approval shall not be submitted on a subsequent approval basis.

(2) The person seeking subsequent approval of continuing education activities shall submit the following information regarding the program attended:

- (a) Dates;
- (b) Subjects offered;
- (c) Learner educational objectives for the activity and anticipated outcomes;
- (d) Total hours of instruction;
- (e) Names and qualifications of speakers;

(f) A timing outline, including time spent for registration, introductions, welcomes, and coffee and meal breaks; and

(g) The number of continuing education hours requested.

(3) A request for approval of a continuing education program based on:

(a) A program that does not require preapproval shall be submitted within sixty (60) days of completion;

(b) Authorship of a publication shall be submitted within six (6) months of the date of publication; and

(c) Academic coursework shall be submitted within the licensure or certification year of the course completion date.

(4) Documentation of attendance at a workshop, seminar, or lecture related to nutrition and dietetic practice, nutrition and dietetic education, or nutrition and dietetic research that has not been approved by the Commission on Dietetic Registration shall be submitted within sixty (60)

days of attendance.

(5) An activity that has not received prior approval may be submitted by individuals on a subsequent approval basis with rationale demonstrating continuing education value.

Section 5. Provider Preapproval. (1) A provider of a continuing education program seeking to obtain prior approval from the board for continuing education certification shall provide the following documentation to the board not less than sixty (60) days prior to the event:

- (a) Dates;
- (b) Subjects offered;
- (c) Objectives for the activity;
- (d) Total hours of instruction; and
- (e) Names and qualifications of speakers.

(2) The board shall approve or deny timely and complete applications before the commencement of the activity.

(3) Review of programs.

(a) The board may monitor and review any continuing education program already approved by the board.

(b) Upon evidence of significant variation in the program presented from the program approved, the board may disapprove all or any part of the approved hours granted the program.

Section 6. Appeals Procedure. (1) A licensee or certificate holder may appeal decisions regarding continuing education by filing a written appeal.

(2) An appeal shall be sent to the board within thirty (30) calendar days after notification of denial and shall be considered by the board at its next scheduled meeting.

Section 7. Waiver of Continuing Education. (1) A licensee or certificate holder who is medically disabled or ill based upon the verification document signed by a licensed physician shall be granted:

- (a) A waiver of the continuing education requirements; or
- (b) An extension of time within which to complete continuing education requirements or make required reports.

(2) A written request for waiver or extension of time shall be:

- (a) Submitted by the licensee or certificate holder; and
- (b) Accompanied by a verifying document signed by a licensed physician.

(3) A waiver of the minimum continuing education requirements or extensions of time to complete them shall not be granted for more than one (1) calendar year.

(4) If the medical disability or illness upon which a waiver or extension has been granted continues beyond the period of the waiver or extension, the licensee or certificate holder shall reapply for further waiver or extension.

Section 8. Continuing Education Requirements for Retired or Inactive Licensees or Certificate Holders. (1)(a) A licensee or certificate holder who holds an inactive license or certificate shall not be required to obtain continuing education.

(b) Upon application to return to active status, the licensee or certificate holder shall present evidence that the licensee or certificate holder has fulfilled the continuing education requirements for the two (2) year period immediately prior to the application for reinstatement.

(2)(a) A retired licensee or certificate holder shall not be required to obtain continuing education.

(b) Upon application to return to active status, the licensee or certificate holder shall present

evidence that the licensee or certificate holder has fulfilled all past-due continuing education requirements from the date of retirement.

Section 9. Incorporation by Reference. (1) "Continuing Education Submission Form for Certified Nutritionists Only", July 2015, is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Division of Occupations and Professions, 911 Leawood Drive, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. (22 Ky.R. 1001; Am. 1455; eff. 2-12-1996; 33 Ky.R. 879; 1292; eff. 11-15-2006; 36 Ky.R. 1311; 1907; eff. 3-5-2010; 42 Ky.R. 1299; 2324; eff. 3-4-2016.)